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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,185

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John De Treville

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EXAMINER

BELGRAMI, ASGHAR H

ART UNIT

PAPER NUMBER

2143

MAIL DATE

DELIVERY MODE

04/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/671,185

Applicant(s)

TREVILLE, JOHN DE

Examiner

ASGHAR BILGRAMI

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-27 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on 23 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-893)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date 12/8/2006

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because "Computer readable medium is not defined in the specification. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 19 is rejected under 35 U.S.C. 101, the claimed computer process is software and it is not specifically embodied on a computer readable medium because on page 8 of the specification computer readable media includes both communication and storage media. Hence the claimed invention is directed to non-statutory subject matter.
4. One way to overcome 101 rejection is to amend "computer readable medium" as "computer storage media".
5. Dependent claims 20-27 are also rejected under 35 U.S.C. 101 by virtue of their dependence on claim 19.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Holtmanns et al (U.S. PUB NO. 2005/0086061A1).

8. As per claim 1, 10 & 19 a policy engine system in a computing cell phone for controlling automated responses (paragraph.35) from the computing cell phone to a requesting computing system, the controlled responses being based on a user policy specified by the user of the computing cell phone (paragraph.13), the policy engine system comprising: a database storing the user policy (paragraphs.33 & 38); an apply policy module applying parameters of the user policy to information transfer requests from the requesting computing system and filtering stored response information to create a filtered response for the requesting computing system based on the

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parameters of the user policy; and a delegate response module sending the filtered response along with a use policy to the requesting computing system (paragraphs. 41-46).

9. As per claims 2, 11 & 20 the system of claim 10 wherein the information transfer request is a send request to send information to the computing cell phone and: the apply policy module in response to the send request creates an authorization for the requesting computing system to send information to the computing cell phone; and the delegate response module sends the authorization to the requesting computing system (paragraphs. 41-46).

10. As per claims 3, 12 & 21 the system of claim 10, wherein the use policy contain rules for use of the filtered response by the requesting computing system (paragraph.15).

11. As per claims 4, 13 & 22 the system of claim 10, wherein the use policy contain rules for distribution of the filtered response by the requesting computing system to other computing systems (paragraphs.15 & 16).

12. As per claims 5 & 23 the method of claim 4, wherein the act of delegating a response further comprises sending no response based on a third response level (paragraphs. 41-46).

13. As per claims 6 & 24 the method of claim 4, wherein the act of sending a qualified response comprises: detecting if use restrictions are to be included with a response sent to the requesting computing system; and attaching a restricted use policy to the response sent to the requesting computing system, the use policy controlling use and further distribution of the response by the requesting computing system (paragraphs. 41-46).

14. As per claims 7, 15 & 25 The system of claim 10, wherein the apply policy module comprises: retrieving policy parameters of the user policy from the database (paragprash.33 & 38); a compare module comparing the policy parameters to request parameters in the request from the requesting computing system; an allocate module generating the filtered response based on a match between policy parameters and request parameters; and a compile module building a filtered response and a response level to pass to the delegate response module (paragraphs. 41-46).

15. As per claims 8 & 26 the method of claim 1 wherein the response is authorization for the requesting computing system to send information to the user's computing system (paragraphs. 41-46).

16. As per claims 9, 16 & 27 The system of claim 15, wherein the delegate response module comprises: a test module detecting whether a use policy is to be included with

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the filtered response, the use policy controlling use of the filtered response by the requesting computing system; and a send module sending the filtered response with the use policy if the test module detects the use policy is to be included and sending only the filtered response if the test module detects the use policy is not to be included (paragraphs. 41-46).

17. As per claim 14 the system of claim 10 further comprising: a set policy module controlled by the user for entering and updating user policy rules and response information (paragraph. 68).

18. As per claim 17 the system of claim 10, wherein the computing cell phone is within the communication domain of the requesting computing system and is being repeatedly polled by requests from the requesting computing system (paragraph.54).

19. As per claim 18 the system of claim 10 further comprising: a test module detecting whether the apply policy module created a filtered response; a query module for displaying the information request and identity of requesting computing system to the user if a filtered response was not created; and an update module receiving new response information and new user policy rules from the user, storing the new response information and updating the user policy rules in the database (paragraphs. 41-46).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASGHAR BILGRAMI whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. B./

Examiner, Art Unit 2143

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2154